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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,960	11/18/2003	Theodore F. Emerson	200210195-1	5413

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EXAMINER
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NGUYEN, JENNIFER T

ART UNIT	PAPER NUMBER
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2629

MAIL DATE	DELIVERY MODE
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05/18/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/715,960	<b>Applicant(s)</b> EMERSON ET AL.	
	<b>Examiner</b> Jennifer T. Nguyen	<b>Art Unit</b> 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7,9,11,14-26,28,31,32 and 35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7,9,11,14-26,28,31,32 and 35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This Office action is responsive to request for continued examination filed on 02/21/07.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-7, 9, 11, 14-26, 28, 31, 32, and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Cook et al. (Pub. No.: US 2005/0007344).

Regarding claims 1 and 35, Cook teaches a method of remotely accessing a computer system (202) by a remote console (208) (figs. 2 and 3), comprising:

receiving, by an emulation device (i.e., 214) that emulates a Universal serial Bus (USB) human interface device, first pointer position data representing a position of a first pointing device (214) coupled to the remote console (208), the emulated USB human interface device representing a second pointing device (i.e., PC tablet) that is of a different type than the first pointing device; wherein the first pointer position data is received over a network (206) by the emulation device from the remote console [0008, 0019, 0033, 0035-0036]; and

generating, by the emulation device (214) that emulates the USB human interface device, second pointer position data representing a position of the second pointing device (i.e., PC tablet) based on the received first pointer position data [0035-0036].

Regarding claim 2, Cook teaches sending the second pointer position data to a software module in the computer system [0007].

Regarding claims 3 and 22, Cook teaches the emulated USB human interface device represents a USB tablet device, and generating the second pointer position data comprises generating pointer position data associated with the USB tablet device [0035-0036].

Regarding claims 4, 5, 23, and 24, Cook teaches the first pointing device comprises a mouse device, and wherein receiving the first pointer position data comprises receiving pointer position data representing a position of the mouse device [0033].

Regarding claims 6 and 25, Cook teaches receiving the first pointer position data comprises receiving absolute pointer position data [0035].

Regarding claims 7, 9, and 26, Cook teaches the second pointer position data comprises generating absolute pointer position data [0035-0036].

Regarding claims 11 and 14, Cook teaches sending the second pointer position data from the emulated USB human interface device to a USB host controller [0035-0036].

Regarding claims 15 and 16, Cook teaches sending the second pointer position data onto a Peripheral Component Interconnect (PCI) bus (120) [0013-0014].

Regarding claims 17 and 32, Cook teaches a console (figs. 2 and 3) comprising:  
a first pointing device (214);  
an interface to communicate absolute pointer position data to a remote computer system (202) over a network (206); and

a controller to transform relative pointer position data from the first pointing device to an intermediate position data, and the controller to further transform the intermediate pointer

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position data to the absolute pointer position data based on characteristics of a USB tablet device being emulated by an emulation device coupled to the computer system [0008, 0019, 0033, 0035-0036].

Regarding claim 18, Cook teaches an operating system, the operating system to receive the second pointer position data [0036].

Regarding claim 19, Cook teaches a server (202), the operating system executable in the server [0036].

Regarding claims 20-21, 28, 29, and 31, Cook teaches a server management device (204) including the interface (USB) and the controller (not shown), the server management device coupled to the server (202) [0035-0036].

4. Applicant's arguments, see amendment, filed 2/21/07, with respect to the rejection(s) of claim(s) 1-7,9,11,14-26,28,31,32 and 35 under nakamura have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Cook et al.

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer T. Nguyen whose telephone number is 703-305-3225. The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jennifer Nguyen  
05/11/07



RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
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